

Mr. Kendall Hale
Permits Section Chief
Missouri Department of Natural Resources
Air Pollution Control Program
P.O. Box 176
Jefferson City, Missouri 65102

RE: Draft Renewal of Part 70 Operating Permit for A.E.C.I.-Unionville Power Plant
Installation ID 171-0015; Project No. 2021-04-039

Dear Mr. Hale:

The above referenced document was placed on public notice May 28, 2021 by the Missouri Department of Natural Resources Air Pollution Control Program (MoDNR). The United States Environmental Protection Agency, Region 7 (EPA) has reviewed this draft permit and provides the following comments which we hope will improve this and future permits.

1. This permit, on public notice, is the renewal of the Unionville Power Plant Part 70 Operating Permit issued October 7, 2016, which has an expiration date of October 7, 2021. In accordance with Missouri Air Pollution Control Regulations 10 CSR 10-6.065(5)(B)1.A.(III), installations subject to this part shall file complete applications for renewal of the operating permit at least six (6) months before the date of permit expiration. In no event, shall this time be greater than eighteen (18) months. Therefore, the timing window for the renewal application for the Unionville Power Plant Part 70 Operating Permit was between April 7, 2020, and April 7, 2021. However, the renewal application, which forms the basis for the operating permit currently on public notice, was received by the MoDNR under cover dated April 21, 2021, which is outside the time window for timely permit renewal.

Additionally, the Applicant's Certification Statement on Application for Authority to Operate Form OP-A01 and the Certification of Compliance with All Applicable Requirements on Application for Authority to Operate Form OP-E01, are both signed by Brent Ross, Managing Director, ES&H, with indication that the facility is in complete compliance with all applicable requirements. However, it would appear as though Unionville Power Plant was late in submitting their renewal application. Therefore, it is not in compliance with all applicable requirements. Also, both the Application for Authority to Operate and the compliance certification are signed by the Managing Director, ES&H, which, appears to the EPA to be a position that does not satisfy the definition of Responsible Official as defined in 10 CSR 10-6.065(2)(R)34.

The EPA strongly encourages the MoDNR to consider providing an explanation, in the Statement of Basis, how this source is in non-compliance and the issuance of the Part 70 Operating Permit addresses the non-compliance. The EPA also strongly encourages the MoDNR to consider correcting the permit record by having Unionville Power Plant submit a corrected Application for Authority to Operate that addresses the non-compliance. Finally, the EPA suggests the MoDNR permitting section notify the MoDNR enforcement section of this non-compliance.

2. Permit Condition 003 incorporates requirements from 40 CFR part 63, Subpart ZZZZ-*National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines* applicable two (2) diesel black-start engines. It should be noted that 40 CFR §63.6550(h)(3) requires the annual report to be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX). The EPA urges the MoDNR to consider modifying Permit Condition 003 accordingly.

We appreciate the opportunity to provide what we hope you will find to be constructive comments and if you have any questions, please contact Robert Cheever by phone at (913) 551-7980 or email at [[HYPERLINK "mailto:cheever.robert@epa.gov" \h](mailto:cheever.robert@epa.gov)].

Sincerely,

Amy Algoe-Eakin
Chief
Air Permitting and Standards Branch
Air and Radiation Division